



MOGALE CITY LOCAL MUNICIPALITY

**PROPERTY RATES
BY-LAW**

2023 - 2024

APPROVED



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PROPERTY RATES BY-LAW

1. LEGISLATIVE CONTEXT

- 1.1 Section 229 (1) of the constitution authorises a municipality to impose property rates and surcharges on fees for services provided by or on behalf of the municipality.
- 1.2 Section 13 of the Local Government: Municipal Systems Act (as amended) read with section 162 of the Constitution requires a municipality to promulgate municipal by-laws by publishing them in the gazette of the relevant province.
- 1.3 In terms of Section 6 of the Local Government: Municipal Property Rates Act 6 of 2004 (as amended), requires a municipality to adopt by-laws to give effect to the implementation of its property rates policy; the by-laws may differentiate between the different categories of properties and different categories of owners of properties liable for the payment of rates.

NOW THEREFORE IT IS ENACTED by the Council of the Mogale City Local Municipality, as follows:

2. DEFINITIONS

In this By-law, any word or expression to which a meaning has been assigned in the Local Government: Municipal Property Rates Act, 2004 (Act No. 6 of 2004) (as amended), shall bear the same meaning unless the context indicates otherwise-

In this by-laws, unless otherwise indicated –

“**Municipality**” means Mogale City Local Municipality



“Municipal Property Rates Act” means Local Government Municipal Property Rates Act of 2004 (as amended).

“Rates Policy” means the Mogale City Local Municipality’s property rates policy adopted by the Council in terms of section 3(1) of the Local Government: Municipal Property Rates Act 2004 (as amended).

3. OBJECTIVE

The objective of this by-law is to give effect to the implementation of the Rates policy as contemplated in Section 6 of the Local Government: Municipal Property Rates Act (as amended).

4. THE RATES POLICY

- 4.1 The municipality prepared and adopted a Rates Policy as contemplated in terms of the provisions of section 3(1) of the Municipal Property Rates Act. The Rates Policy outlines the municipality’s rating practices; therefore, it is not necessary for this By-law to restate and repeat same.
- 4.2 The Rates Policy is hereby incorporated by reference in this By-law. All amendments to the Rates Policy as the Council may approve from time to time, shall be deemed to be likewise incorporated.
- 4.3 The Municipality does not levy rates other than in terms of its Rates Policy and the annually promulgated resolution levying rates which reflects the cent amount in the Rand rate for each category of rateable property.
- 4.4 The Rates Policy is available at all offices of the municipality, libraries as well as on the Mogale City Local Municipality’s website. (www.mogalecity.gov.za)



5. CATEGORIES OF RATEABLE PROPERTY

The Rates Policy provides for categories of rateable properties determined in terms of section 8 of the Act.

6. CATEGORIES OF PROPERTIES AND CATEGORIES OF OWNERS OF PROPERTIES

The Rates Policy provides for categories of properties and categories of owners of properties for the purposes of granting relief measures (exemptions, reductions and rebates in terms of section 15 of the Act.

7. ENFORCEMENT OF THE RATES POLICY

The Municipality's Rates Policy shall be enforced through the Credit Control and Debt Collection Policy and any further enforcement mechanisms stipulated in the Act and the Municipality's Rates Policy.

8. SHORT TITLE

This By-law is called the Mogale City local municipality Municipal Property Rates By-law and takes effect on the date on which it is published in the Provincial Gazette

9. ADDITIONS AND OR AMENDMENTS TO THE PROPERTY RATES BY-LAW 2023/2024

9.1 All dates previously referring to 2022/2023 or the year 2022 have been changed to 2023/2024 and 2023 respectively.